

Virginia Title V Operating Permit

Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: Hutchinson Sealing Systems, Inc.

Facility Name: Hutchinson Sealing Systems, Inc.
Facility Location: 1150 South Third Street
Wytheville, VA

Registration Number: 11019
Permit Number: SWRO11019

Effective Date: March 12, 2001

Modification Date: October 28, 2002

Expiration Date: March 12, 2006

Robert G. Burnley
Director, Department of Environmental Quality

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I. Facility Information

Permittee and Facility

Hutchinson Sealing Systems, Inc.
1150 South Third Street
Wytheville, VA 24382

Responsible Official

Jacques Lafosse
Plant Manager
(423) 357-6991

Contact Person

Steve Wyse
Environmental Engineer
(423) 357-6991 Ext. 144

Facility Identification Number: 51-197-0066

Facility Description: Hutchinson Sealing Systems, Inc. manufactures rubber compounds, rubber glass-run channels, and rubber sealing strips for the automotive industry (SIC Codes 3061, 2822, and 3069) in Wytheville, Virginia. The production of these components involves several processes including rubber mixing, extrusion, flocking, curing, coating, gasket molding, finish work, and assembly.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Extrusion Line 1							
E Line 1	2, 4, 6, 7, 8	Extruders, drip & wipe adhesive app., elec. flocker, elec. curing ovens, cooling, forming, primer & topcoat app., marking, and finishing.	7,500 T/yr EPDM rubber throughput (total for E Lines 1-3)	Electrostatic Precipitator – Smog Hog Model APC-12-4, Paint Filters, flock recirculating system	1, 3, 4, 5	Particulate (inc. oil mist)	June 2, 2000
Extrusion Line 2							
E Line 2	2, 4, 6	Extruders, drip & wipe adhesive app., elec. flocker, elec. curing ovens, cooling, forming, marking, and finishing. No spray booths in E Line 2.	7,500 T/yr EPDM rubber throughput (total for E Lines 1-3)	Electrostatic Precipitator – Smog Hog Model APC-12-4	1	Particulate (inc. oil mist)	June 2, 2000
Extrusion Line 3							
E Line 3	11, 6, 8, 9, 10	Extruders, drip & wipe adhesive app., elec. flocker, elec. curing ovens, cooling, forming, primer & topcoat app., marking, and finishing.	7,500 T/yr EPDM rubber throughput (total for Lines 1-3)	Electrostatic Precipitator – Smog Hog Model APC-12-4, Paint Filters, flock recirculating system	1, 3, 4, 6	Particulate (inc. oil mist)	June 2, 2000
Rubber-To-Glass Line							
RG Line 4	20 - 24	Molding presses, corner flocking machines, and primer application robots.	- -	Diversified Air Systems canister filter	22-1, and 24-1	Particulate	June 2, 2000
Rubber Mixing Line 5							
RM Line 5	- -	Mixer, drop & strip mills, slab dip, cooling, drying, batch-off machines, and finishing.	25,000 T/yr rubber prod. (total for both E Lines)	Internal Exhaust Dust Collector Cartridge Filters, 36,000 cfm	DC1	Particulate	June 2, 2000
Rubber Mixing Line 6							
RM Line 6	- -	Mixer, drop & strip mills, slab dip, cooling, drying, batch-off machines, and finishing.	25,000 T/yr rubber prod. (total for both E Lines)	Internal Exhaust Dust Collector Cartridge Filters, 36,000 cfm	DC2	Particulate	June 2, 2000

III. Process Equipment Requirements – (Extrusion Lines)

A. Limitations

1. Particulate emissions from the end of the curing ovens in extrusion lines, E Line 1, E Line 2 and E Line 3, shall be controlled by electrostatic precipitators. The electrostatic precipitators shall be provided with adequate access for inspection.
(9 VAC 5-80-110 and Condition 3 of 6/2/00 Permit)
2. Excess flock from the electrostatic flockers in extrusion lines, E Line 1, E Line 2 and E Line 3, shall be controlled by enclosure and a flock recirculating system. The electrostatic flockers shall be provided with adequate access for inspection.
(9 VAC 5-80-110 and Condition 4 of 6/2/00 Permit)
3. Particulate emissions from the spray booths in extrusion lines, E Line 1 and E Line 3, shall be controlled by paint filters. The paint filters shall be provided with adequate access for inspection.
(9 VAC 5-80-110 and Condition 5 of 6/2/00 Permit)
4. The production of EPDM rubber in the existing extruding and molding manufacturing facilities, E Line 1, E Line 2, E Line 3, and RG Line 4, shall not exceed 7,500 tons per year, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 and Condition 8 of 6/2/00 Permit)
5. Visible emissions from the exhausts of adhesive application, curing ovens and electrostatic precipitators in extrusion lines, E Line 1, E Line 2 and E Line 3, and exhausts of primer and topcoat spray booths in extrusion lines, E Line 1 and E Line 3, shall not exceed 5% opacity, each, as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-110 and Condition 12 of 6/2/00 Permit)

B. Monitoring

1. Visible emission checks shall be performed on exhausts from the adhesive application, curing ovens and electrostatic precipitators in extrusion lines, E Line 1, E Line 2 and E Line 3, and exhausts from spray booths in extrusion lines, E Line 1 and E Line 3, for compliance with limits on visible emissions as specified in Condition III.A.5 above. Visible emission checks shall be conducted at least once each week for at least a brief time period to determine which operating emissions units have visible emissions (does not include condensed water vapor/steam). Each emissions unit observed having visible emissions shall be followed up with a 40 CFR 60 Appendix A Method 9 visible emissions evaluation unless the visible emission

condition is corrected as expeditiously as possible such that no visible emissions exist, and the cause and corrective measures taken and recorded. A record of each visible emissions observation shall be maintained, including any data required by 40 CFR 60 Appendix A, Method 22 or Method 9, whichever is appropriate. The record shall include, at a minimum, the date, time, name of the emission unit, the applicable emissions requirement, the results of the observation and the name of the Method 9 certified observer.
(9 VAC 5-80-110)

C. Recordkeeping

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Southwest Regional Office. These records shall include, but are not limited to:

1. The monthly and hourly throughput of adhesive and coating materials to extrusion lines, E Line 1, E Line 2 and E Line 3, calculated as the sum of each consecutive twelve (12) month period.
2. The monthly hours of process operation of extrusion lines, E Line 1, E Line 2 and E Line 3.
3. Results of weekly opacity observations.
4. The condition of paint filters in spray booths on extrusion lines, E Line 1 and E Line 3, and electrostatic precipitator cell indicator light, each observed once per shift.
5. Annual production of EPDM rubber by extrusion lines, E Line 1, E Line 2 and E Line 3, calculated monthly as the sum of each consecutive twelve (12) month period.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110 and Condition 13 of 6/2/00 Permit)

D. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-40-30 or 9 VAC 5-50-30 and 9 VAC 5-80-110 and Condition 16 of 6/2/00 Permit)

2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

IV. Process Equipment Requirements – (Rubber-To-Glass Line)

A. Limitations

1. Visible emissions from the exhausts of primer application in the rubber-to-glass line, RG Line 4, shall not exceed 5% opacity, each, as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-50-260, 9 VAC 5-80-110 and Condition 12 of 6/2/00 Permit)

2. Visible emissions from each automatic corner flocking booth and each corner flock adhesive application booth in the rubber-to-glass line, RG Line 4, shall not exceed 20% opacity, except for one six-minute period in any one hour of not more than 30% opacity, as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-80-110 and 9 VAC 5-50-80)

B. Monitoring

1. Visible emission checks shall be performed on the exhausts from the primer application, automatic corner flocking booths and corner flock adhesive application booths in the rubber-to-glass line, RG Line 4, for compliance with limits on visible emissions as specified in Conditions IV.A.1, and IV.A.2, above. Visible emission checks shall be conducted at least once each week for at least a brief time period to determine which operating emissions units have visible emissions (does not include condensed water vapor/steam). Each emissions unit observed having visible emissions shall be followed up with a 40 CFR 60 Appendix A Method 9 visible emissions evaluation unless the visible emission condition is corrected as expeditiously as possible such that no visible emissions exist, and the cause and corrective measures taken and recorded. A record of each visible emissions observation shall be maintained, including any data required by 40 CFR 60 Appendix A, Method 22 or Method 9, whichever is appropriate. The record shall include, at a

minimum, the date, time, name of the emission unit, the applicable emissions requirement, the results of the observation and the name of the Method 9 certified observer.

(9 VAC 5-80-110)

C. Recordkeeping

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Southwest Regional Office. These records shall include, but are not limited to:

1. The monthly and hourly throughput of process materials to the rubber-to-glass line, RG Line 4, calculated as the sum of each consecutive twelve (12) month period.
2. The monthly hours of operation of the rubber-to-glass line, RG Line 4.
3. Results of weekly opacity observations.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110 and Condition 13 of 6/2/00 Permit)

D. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30, 9 VAC 5-80-110 and Condition 16 from the 6/2/00 permit)
2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

V. Process Equipment Requirements – (Rubber Mixing Lines)

A. Limitations

1. Particulate emissions from the rubber mixing lines, RM Line 5 and RM Line 6, shall be controlled by dust collectors. The dust collectors shall be provided with adequate access for inspection.
(9 VAC 5-80-110 and Condition 6 of 6/2/00 Permit)
2. The production of EPDM rubber from the rubber mixing facility, RM Line 5 and RM Line 6, shall not exceed 25,000 tons per year, calculated monthly as the sum of each consecutive twelve (12) month period.
(9 VAC 5-80-110 and Condition 7 of 6/2/00 Permit)

B. Monitoring

1. Each dust collector shall be equipped with an alarm system to continuously monitor differential pressure. The alarm system shall be installed in an accessible location and shall be maintained by the permittee such that it is in proper working order at all times. The alarm system shall be observed once per shift to ensure proper working order of each dust collector.
(9 VAC 5-80-110)

C. Recordkeeping

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Southwest Regional Office. These records shall include, but are not limited to:

1. Monthly and annual throughput of materials to rubber mixing lines, RM Line 5 and RM Line 6, calculated monthly as the sum of each consecutive twelve (12) month period.
2. Monthly hours of process operation for each rubber production line, RM Line 5 and RM Line 6.
3. Annual EPDM rubber production by rubber mixing lines, RM Line 5 and RM Line 6, calculated monthly as the sum of each consecutive twelve (12) month period.
4. Results of dust collector differential pressure alarm system observations.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-50-50, 9 VAC 5-80-110 and Condition 13 of 6/2/00 Permit)

D. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.

(9 VAC 5-50-30, 9 VAC 5-80-110 and Condition 16 of 6/2/00 permit)

2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

VI. Facility-Wide Conditions

A. Limitations

1. Pollutant throughput and emissions from the operation of the rubber mixing (RM Line 5 and RM Line 6), extruding (E Line 1, E Line 2, and E Line 3), and molding (RG Line 4) manufacturing facilities shall not exceed the limitations specified below:

	<u>lb/hr</u>	<u>T/yr</u>
VOC	85.8	141.52
PM10	2.1	2.26
Xylene	41.2	54.1

(9 VAC 5-80-10 H, 9 VAC 5-50-260, 9 VAC 5-80-110, and Condition 9 of 6/2/00 Permit)

2. Toxic Air Pollutants – Emission Limits: This condition applies to those toxic air pollutants identified in the Priority Pollutant List, excluding the toxic pollutants referenced in Condition VI.A.1. Hourly and annual emissions of all other volatile and/or particulate toxic compounds shall not exceed the limitations specified below (TLVs are identified in the 1992 ACGIH handbook incorporated by reference in 9 VAC 5-20-21 E):
- a. For each volatile and/or particulate toxic compound having a TLV-C, emissions, in pounds per hour, shall not exceed $0.033 \times \text{TLV-C (mg/m}^3\text{)}$. In no event shall emissions of any such volatile and/or particulate toxic compound exceed 22.8 pounds per hour;
 - b. For each volatile and/or particulate toxic compound having both a TLV-STEL and a TLV-TWA, emissions, in pounds per hour, shall not exceed $0.033 \times \text{TLV-STEL (mg/m}^3\text{)}$. Annual emissions, in tons per year, shall not exceed $0.145 \times \text{TLV-TWA (mg/m}^3\text{)}$. In no event shall emissions of any such volatile and/or particulate toxic compound exceed 22.8 pounds per hour or 100 tons per year;
 - c. For each volatile and/or particulate toxic compound having only a TLV-TWA, emissions of any volatile and/or particulate toxic compound, in pounds per hour, shall not exceed $0.066 \times \text{TLV-TWA (mg/m}^3\text{)}$. Annual emissions, in tons per year, shall not exceed $0.145 \times \text{TLV-TWA (mg/m}^3\text{)}$. In no event shall emissions of any such volatile and/or particulate toxic compound exceed 22.8 pounds per hour or 100 tons per year.

In no event shall emissions of any volatile and/or particulate toxic compound exceed the maximum annual volatile organic compound or particulate emission limitations in Condition VI.A.1. Annual emissions are calculated as the sum of emissions from the facility during any period of 12 consecutive months. Hourly emissions are calculated by dividing total monthly emissions by monthly hours of individual process operation. Any demonstration of compliance with the Significant Ambient Air Concentration Guidelines of 9 VAC 5-50-190 shall not relieve the requirement to comply with this condition.

(9 VAC 5-50-180 and Condition 10 of 6/2/00 permit)

3. Toxic Air Pollutants: This condition applies to those toxic air pollutants identified by the Priority Pollutant List, excluding the pollutants referenced in Condition VI.A.1. If the permittee uses additional toxic compounds, the following requirements apply:
- a. Notification shall be given to the Director, Southwest Regional Office. Such notification shall be made within fifteen (15) days after the use of additional toxic air pollutants and shall include identification of the toxic air pollutant, the date the toxic air pollutant was first used, and the anticipated maximum throughput of that pollutant in lbs/hr and tons/yr, and a demonstration of compliance with Condition

VI.A.2. Additional details of the notification shall be arranged with the Director, Southwest Regional Office.

- b. If a permit is required, failure to obtain the permit prior to the change in process formulation or the use of any additional toxic air pollutant may result in enforcement action.

(9 VAC 5-170-160, 9 VAC 5-50-200 and Condition 11 of 6/2/00 permit)

B. Recordkeeping

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Southwest Regional Office. These records shall include, but are not limited to:

1. Material Safety Data Sheets (MSDS) or other vendor information showing solids content for each material (coating, adhesive, ink, thinner, fountain solution, cleaning solution, other coating) used.
2. A monthly and annual material balance including the throughput and emissions of VOC, PM, and each toxic pollutant. Annual throughput and emissions shall be calculated and recorded monthly as the sum of each consecutive 12 month period. Particulate matter emissions shall be based on the appropriate transfer efficiency and control efficiency.
3. An average hourly material balance including the throughput and emissions of VOC, PM, and each toxic pollutant. Average emissions shall be calculated and recorded monthly as the total amount of VOC, PM, and toxic air pollutant used within a calendar month divided by the total hours of operation of the rubber mixing, extruding, and molding manufacturing operations to estimate maximum hourly usage rates.
4. Demonstrations that hourly and annual emission rates of VOC, PM, and toxic pollutants show compliance with Condition VI.A.1.
5. Demonstrations that hourly and annual emissions rates of toxic air pollutants identified by the Priority Pollutant List, other than those referenced in Condition VI.A.1, show compliance with the limits computed by Condition VI.A.2.
6. Annual production of EPDM and throughput for the extrusion lines, E Line 1, E Line 2 and E Line 3, calculated monthly as the sum of each consecutive 12 month period.
7. Scheduled and unscheduled maintenance, and operator training.

8. Logs of monthly hours of operation for the individual units of the rubber mixing (RM Line 5 and RM Line6), extruding (E Line 1, E Line 2 and E Line3), and molding (RG Line 4) manufacturing operations.
9. Except as indicated in Condition VI.B.10, for the purpose of calculating VOC emissions and throughput, the VOC content of each material (coating, adhesive, ink, thinner, fountain solution, cleaning solution or other coating) as supplied, shall be based on formulation data as shown on its MSDS. If VOC content is given as a range, the maximum value shall be used.
10. If the monthly recordkeeping, as required in Condition VI.B.2, indicates that annual VOC throughput is equal to or greater than 50% of the allowable limit in Condition VI.A.1, the VOC content of each material, as supplied, shall be determined quarterly using approved EPA test methods and such content shall be used for the purpose of calculating throughput and emissions. The permittee or the supplier shall conduct testing for each product formulation received after such emissions level is determined. Each material shipment received shall be clearly identified by a product formulation number that may be correlated to approved EPA test method results. The most recent test results for each formulation shall be used in throughput calculations. Quarterly testing may be discontinued after actual VOC throughput is below 50% of the allowable limit in Condition VI.A.1. for three consecutive months. If quarterly testing is discontinued, the VOC content determined in the latest test for each formulation shall be used in lieu of the MSDS value in throughput and emissions calculations. Quarterly testing of a material is not required if MSDS, manufacturer or vendor information indicates that VOC content of the material has been determined by approved EPA test methods. Quarterly testing of a material is not required if 100% VOC content by weight, for that particular material, is used in throughput and emissions calculations.
11. For the purpose of calculating emissions, the HAP content of each material (coating, adhesive, ink, thinner, fountain solution, cleaning solution or other coating) as supplied shall be based on formulation data as shown on its MSDS. If the HAP content is given as a range, the maximum value shall be used.

These records shall be available on-site for inspection by the DEQ and shall be current for the most recent five (5) years. These records shall be made available by the 15th day of each month, at which time totals shall include the previous month's data.

(9 VAC 5-50-50, 9 VAC 5-80-110 and Condition 13 of 6/2/00 Permit)

C. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.

(9 VAC 5-50-30, 9 VAC 5-80-110 and Condition 16 of 6/2/00 permit)

2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

VII. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation (9 VAC_)	Pollutant Emitted (9 VAC 5-80-720 B.)	Rated Capacity (9 VAC 5-80-720 C.)
--	Cleaver Brooks natural gas fired boiler	9 VAC 5-80-720 C	PM, SO ₂ , NO _x , CO, VOC	4.185 MMBtu/hr
--	Onan propane fired emergency generator	9 VAC 5-80-720 C	PM, NO _x , CO, VOC	12.5 kW
--	Chemlok 459X (storage, mixing, dispensing)	9 VAC 5-80-720 A & B	VOC	--
--	Post cure/sample oven	9 VAC 5-80-720 B	PM, SO ₂ , NO _x , CO, VOC	400,000 Btu/hr
TR-1	Process oil storage tank	9 VAC 5-80-720 B	VOC	8,000 gallons
TR-2	Process oil storage tank	9 VAC 5-80-720 B	VOC	8,000 gallons
--	Topcoat mix room	9 VAC 5-80-720 B	VOC	--
TR-3	Process oil storage tank	9 VAC 5-80-720 B	VOC	--

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring,

recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

VIII. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
None noted.		

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

IX. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)

B. Permit Expiration

This permit shall become invalid five years from the date of issuance. The permittee shall submit an application for renewal of this permit no earlier than 18 months and no later than six months prior to the date of expiration of this permit. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the DEQ on the renewal application.
(9 VAC 5-80-110 D and 9 VAC 5-80-80 F)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

- a. The date, place as defined in the permit, and time of sampling or measurements.
- b. The date(s) analyses were performed.
- c. The company or entity that performed the analyses.
- d. The analytical techniques or methods used.
- e. The results of such analyses.
- f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

- (1) Exceedance of emissions limitations or operational restrictions;
- (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an Exceedance of emission limitations or operational restrictions; or,
- (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.

One copy of the annual compliance certification shall be sent to EPA at the following address:

Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029.

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, Southwest Regional Office within four daytime business hours of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the occurrence, the permittee

shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to Condition IX.C.3 of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

If, for any reason, the affected facilities or related air pollution control equipment fails or malfunctions and may cause excess emissions for more than one hour, the owner shall notify the Director, Southwest Regional Office, within four (4) daytime business hours of the occurrence. In addition, the owner shall provide a written statement, within 14 days, explaining the problem, corrective action taken, and the estimated duration of the breakdown/shutdown.

(9 VAC 5-80-250)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

J. Permit Action for Cause

1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause as specified in 9 VAC 5-80-110 L, 9 VAC 5-80-240 and 9 VAC 5-80-260. The filing of a request by the permittee for a permit modification, revocation and

reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
(9 VAC 5-80-110 G.4)

2. Such changes that may require a permit modification and/or revisions include, but are not limited to, the following:
 - a. Erection, fabrication, installation, addition, or modification of an emissions unit (which is the source, or part of it, which emits or has the potential to emit any regulated air pollutant), or of a source, where there is, or there is potential of, a resulting emissions increase;
 - b. Reconstruction or replacement of any emissions unit or components thereof such that its capital cost exceeds 50% of the cost of a whole new unit;
 - c. Any change at a source which causes emission of a pollutant not previously emitted, an increase in emissions, production, throughput, hours of operation, or fuel use greater than those allowed by the permit, or by 9 VAC 5-80-11, unless such an increase is authorized by an emissions cap; or any change at a source which causes an increase in emissions resulting from a reduction in control efficiency, unless such an increase is authorized by an emissions cap;
 - d. Any reduction of the height of a stack or of a point of emissions, or the addition of any obstruction which hinders the vertical motion of exhaust;
 - e. Any change at the source which affects its compliance with conditions in this permit, including conditions relating to monitoring, recordkeeping, and reporting;
 - f. Addition of an emissions unit which qualifies as insignificant by emissions rate (9 VAC 5-80-720 B) or by size or production rate (9 VAC 5-80-720 C);
 - g. Any change in insignificant activities, as defined by 9 VAC 5-80-90 D.1.a(1) and 9 VAC 5-80-720 B and 9 VAC 5-80-720 C.

(9 VAC 5-80-110 G, 9 VAC 5-80-110 J, 9 VAC 5-80-240, and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for

modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.

(9 VAC 5-80-110 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.

(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-305 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-355. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by **April 15** of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.

(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, oil, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,

5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall

comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the conditions of paragraph 2 are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of malfunction, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit.
 - d. For malfunctions that occurred for one hour or more, the permittee submitted to the Board by the deadlines described in **Failure/Malfunction Reporting** above, a notice and written statement containing a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notice fulfills the requirement of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any requirement applicable to the source.

(9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe, any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

Y. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)

Z. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

(9 VAC 5-80-110 I)

AA. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

X. State-Only Enforceable Requirements

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

None noted.